

ORIGINAL

Statement of Facts

I was incarcerated on May 10th, 2004, at Henry R. Young Correctional Institution, (Also known as Garden Hill Prison),

'Note', (before my incarceration but on the same day I was taken to Christians Hospital by Ambulance, was treated for pain and placed on crutches).

I brought all of my medications to this prison, consisting of Oxy-cotin 20 mg (2) twice a day, Perkoset 350 mg (5) for alternate pain, take as needed, Soma, 350 mg for In-voluntary Muscle Spasms, Tamam, 10 mg for nerves and anxiety, and Ambian to help me sleep. I also had my Prosthetics-Orthotics Booth and Foot Brace.

Upon entry at H.R.Y.C.I, I was examined by a member of the Medical Staff (See Medical Records) and I informed her of

FILED

MAR 21 2006

U.S. DISTRICT COURT
DISTRICT OF DELAWARE

RG

Scanned

"all" of my medical problems which she appeared to be writing down, she got a release form and ask me where I was operated on and any Doctors. I stated to her I have been 35% Partially / Totally Disabled since July of 1999 and informed her of the hospitals, Winston Salem North Carolina, Orthopedic Bone Specialist of Boone North Carolina, Christiansa Hospital of Delaware, St. Francis Hospital of Delaware, Baltimore Trauma Center, Orthopedic Bone Specialist of Seaford Delaware, in order for Medical to obtain my Medical Records. I was admitted to the Infirmary (Prison Hospital) and housed there for the first (56) fifty six days. I was told that after I got situated I would receive my medicines and my leg brace and boots! I was told day by day to just be

patient because "were understaffed" and my medication had to be logged and then I would receive them, "I never did."

After being left on crutches, in severe pain of which I constantly complained about I finally saw a nurse/doctor, who didn't bother to examine me gave me Tylenol, I ask, "what about my special boot and leg brace"? I was informed, they can't be found. I couldn't believe I was being treated like this and couldn't understand why they refused to treat my pain when it was obvious, I was given Tylenol again after begging for help.

As time (days weeks, See Medical Records) passed I finally go to see another doctor/nurse and I pleaded for something for pain, I was prescribed Clivale, 25 mg twice a day to increase to 50, 75, and finally 100 mg, again

without being examined, and was put down for ~~see~~ yet another doctor. I finally saw another doctor I was finally examined and was plainly told it was obvious from the scars that I had been operated on several times, I was ask finally what happened of which I explained (See Medical Records) and informed that the bottom of my right foot was reconstructed, metal placed in it, also both sides of my ankle was metal, from my ankle the outer side of my leg to half way up to my knee is metal, my hip was broken in three places as well as my pelvis was crushed and had to be replaced, that I had permanent nerve damage (Syrptic Pinched Nerve) Permanent drop foot, lumbar 4 and 5 of my spine was removed, I even informed the doctor at that time as he shook his head in disbelief that my specialist on the outside had

told me sternly that I may want to consider Amputation of my leg and go with Prosthetics otherwise I will always be in pain and on medication the rest of my life!

At that point I was told I was being put in to see a specialist and a foot doctor. It never happened.

My pain was getting more constant and the Elivle would only put me to sleep for an hour or two. Elivle also would make me groggy, out of touch with reality and my surroundings but "did not" help my pain or suffering.

I grew more frustrated and depressed and I still proceeded to seek help from the Medical Staff to no avail! By this time I must of saw the same and some different Doctors/Nurses and signed several release forms for them. The accident that occurred that crushed my foot, ankle and broke my lower leg also

Oct 10

broke my neck, tore up my face, nose/lip / forehead. All of the pain I was constantly in was becoming "More Apperant" to the medical staff and all the nurses/doctors I saw would promise me I would receive immediately the proper medical care "except" Dr. Fisher and Head nurse Diane Hernandez who refused to believe any of it and plainly told me, I'm not changing anything and you can bye aspirin at Commissary!

After still constantly complaining, submitting sick call slips I was ask what my shoe size was, that the medical staff was consulting with a foot doctor, at this time I tried to explain that my needs as far as my foot was concerned would have to have any foot wear specially made and a cast would have to be taken for a mold in order to

Page 10

have a correct leg brace made. I was told I would be seen again soon, they ignored me, and after I persisted this fact, I was told "its just too expensive".

I kept consistently begging for help and with the pain I was experiencing and suffering to the point that I just wanted to die to escape the pain and suffering.

I finally saw yet another Doctor who ordered for me to be transported to Christiana Hospital where I saw Specialist Dr. Hershey, who in turn wrote an order for the Medical Staff to give me pain management, that I did need to have my Orthopedic boots and leg brace, this was in early December of 2004 (see medical records) and still I am being denied care from the Medical Department.

I followed up by filing

8 of 10

a Medical Grievance on 1/23/05, was heard by the Medical Grievance Committee on 4/5/05, the Committee upheld (4) four to (0) zero in my favor, and was ask if I was willing to try Ultram for pain, I agreed but nothing ever happened and after approximately (30) thirty day I was seen again, because I complained and was told it still had to be approved by the Medical Director before I would start receiving it.

After some time I complained asking "how long before it's approved" and pleaded for something for my pain, I was denied and again nothing ever happened, No Medical Care What So Ever!

Again after putting in sick call slips I saw another doctor and I again told him Clivle isn't doing me any good, it's a total waste of money, could someone "please"

Q 10

give me something for my pain, I can't stand this much longer, and I was told "well it's all your going to get, want it or not"? I said yes because I was devastated to even think about going without anything!

My condition got worse, my involuntary muscle spasms would jump, jerk sometimes hitting the metal frame of my bed causing deep cuts in my leg that left scars of which I would show the Medical Staff, still I was denied medical attention but was given an Ace Bandage to wrap my leg up! I get burning and electrical pains that are constant but at times flare up causing tremendous pain which would and still last up to 20 to 30 minutes at a time.

I am a disabled chronic care patient that regardless of obvious immediate every day medical

(100F10)

needs, from May 10th, 2004 to present August 11th, 2005 medical care has consistently denied. (See Medical Records - Institutional - Log book record - correspondence letters informing Warden, Raphael Williams, Commissioner & Tony Taylor et.al. to no avail). (Doctors and Nurses - Dr. Roach, Dr. Fisher, Dr. Ali, Dr. Hershel a specialist at Christiana Hospital, Head Nurse Diana Hernandez, Head Nurse Enna, Dr. Aramburo and more medical staff of which I can not remember but Medical Records will prove my case beyond any doubt.

Respectfully Submitted
Ricky James Hamby

cc: [unclear]
file

Ricky Hamby
191377 P.O. Box 9561
Wilmington, De. 19809

W
L
11

Office of The Clerk
United States District Court
844 N. King Street, Lockbox 18
Wilmington, Delaware, 19801-3570